REMARKS/ARGUMENTS

Claims 1-19, 21-24, 91 and 92 are pending in the present application. Claims 1-19, 21-24, 91 and 92 have been rejected. Claims 20 25-90 have been cancelled. No new matter has been added. Accordingly, claims 1-19, 21-24, 91 and 92 are now pending in the present application.

Claim Rejections - 35 USC § 103

The standard for making an obviousness rejection is currently set forth in MPEP 706.02(j):

> To establish a *prima facie* case of obviousness, *three basic criteria must be met*. **First**, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. **Second**, there must be a reasonable expectation of success. **Finally**, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The ***teaching or suggestion*** to make the claimed combination **and** the ***reasonable expectation of success*** **must *both be found in the prior art,* and not *based on applicant's disclosure*.** (emphasis and formatting added) MPEP § 2143, *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)
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> The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a ***convincing line of reasoning*** as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). (emphasis added).

See also, KSR International Co. v. Teleflex Inc., No. 04-1350, 550 U.S. ___ (2007).

As noted above, the PTO has the burden of establishing a prima facie case of obviousness under 35 USC §103. The Patent Office must show that some reason to combine the elements with some rational underpinning that would lead an individual of ordinary skill in the art to combine the relevant teachings of the references. *KSR International Co. v. Teleflex Inc.*, No. 04-1350, 550 U.S. ___ (2007); *In re Fine*, 837 F.2d 1071, 1074 (Fed. Cir. 1988). Therefore, a combination of relevant teachings alone is insufficient grounds to establish obviousness, absent some reason for one of ordinary skill in the art to do so. *Fine* at 1075. In this case, the Examiner has not pointed to any cogent, supportable reason that would lead an artisan of ordinary skill in the art to come up with the claimed invention.

Moreover, as is further discussed below, none of the references, alone or in combination, teaches the unique features called for in the claims. It is impermissible hindsight reasoning to pick a feature here and there from among the references to construct a hypothetical combination which obviates the claims.

> It is impermissible, however, simply to engage in a hindsight reconstruction of the claimed invention, using the applicant's structure as a template and selecting elements from references to fill the gaps. [*citation omitted*]
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> *In re Gordon*, 18 USPQ.2d 1885, 1888 (Fed. Cir. 1991).

A large number of devices may exist in the prior art where, if the prior art be disregarded as to its content, purpose, mode of operation and general context, the several elements claimed by the applicant, if taken individually, may be disclosed. However, the important thing to recognize is that the reason for combining these elements in any way to meet Applicants' claims only becomes obvious, if at all, when considered from hindsight in the light of the application disclosure. The Federal Circuit has stressed that the "decisionmaker must step backward in time and into the shoes worn by a person having ordinary skill in the art when the invention was unknown and just before it was made." *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1566 (Fed. Cir. 1987). To do otherwise would be to apply hindsight reconstruction, which has been strongly discouraged by the Federal Circuit. *Id.* at 1568.

> To imbue one of ordinary skill in the art with knowledge of the invention in suit, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher.

W.L. Gore & Assoc. v. Garlock, Inc., 721 F.2d 1540, 1553 (Fed. Cir. 1983).

Therefore, without some reason in the references to combine the cited prior art teachings, with some rational underpinnings for such a reason, the Examiner's conclusory statements in support of the alleged combination fail to establish a prima facie case for obviousness. *See, KSR International Co. v. Teleflex Inc.*, No. 04-1350, 550 U.S. ___ (2007) (obviousness determination requires looking at "whether there was an apparent reason to combine the known elements in the fashion claimed…", *citing In re Kahn*, 441 F.3d 977, 988 (CA Fed. 2006) ("[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness," KSR at 14).

a. Claims 1, 3-5, 10-12, 14-17, 22-24 and 91-92 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393).

The Applicant respectfully traverses the rejection of independent claim 1 as being unpatentable over *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as emphasized by the recited claim elements set forth below:

> Independent **Claim 1** recites A method for converting messaging data into a relation table format in a database system, the messaging data being within a messaging system, the method comprising the steps of:
>
> (a) providing a plurality of table formatting specifications;
>
> (b) utilizing the plurality of table formatting specifications to automatically build and store a table function in the database system; and
>
> (c) ***invoking the table function from within the database system through a single database language statement***, the table function
>
> (c1) invoking at least one messaging function within the database system to access the messaging data;
>
> (c2) converting the messaging data into relational table format according to the plurality of table formatting specifications, and

> (c3) directly populating a relational table within the database system with the converted messaging data. (Emphasis added.)

Drexter discloses a system that facilitates the transfer of data from an email message or the like to records, tables, and/or fields of an electronic database. In an illustrative embodiment, an email message and a number of database fields are identified. Certain data from the email message are associated with one or more of records, tables, and/or fields of the database. With this association, the data in the email message may be automatically or manually parsed and saved to the associated records, tables, and/or fields of the database. However, as admitted by the Examiner, *Drexter* does not distinctly disclose storing a table function in the database system and invoking the table function from within the database through a single database language statement. Consequently, the *Drexter* reference does not teach every element of the recited independent claim 1.

The Examiner proposes to combine the *Drexter* reference with the *Meier* reference to cure *Drexter's* above-delineated defect. *Meier* discloses a dynamic connection for distributed applications that need to locate application development tools, including but not limited to debuggers, trace collection tools, compilers, etc.) which may be running on different machines, and to send the tools messages. The program requesting debugging service (i.e., a debugger client) sends, to a tool locator, criteria which specifies the properties of a desired debugger. The tool locator maintains a registry of all tools, e.g. debuggers, and their properties, which remain active within the network by receiving tool registration information from each tool as it is started on any machine within the network. When a message is received by the tool locator from a debugger client specifying the criteria of a desired debugger, the tool locator searches its registry and returns a list of debuggers matching the specified properties along with a communication endpoint address that can be used to establish a connection with a debugger meeting the criteria. The debugger client then sends a message, using the established connection, to the desired debugger requesting debugging services on behalf of the debugger client or another program.

The Examiner asserts that *Meier* teaches "…invoking the table function ***from within the database system*** through a single database language statement…" at col. 2 line 33 through col. 3, line 42, which is reproduced herein below:

> The technology of running external programs on the server side of a Relational Database Management System (RDBMS) has been developed in the past few years. For example, DB2.TM./Common-Server for AIX.TM./6000 (DB2.TM./CS) supports external programs. External programs are written by the application developer in a host 3GL language such as C and C++. They could be invoked by the RDBMS in one of two forms: (1) as a subprogram running inside of the server's "address space" (also referred to as "process"), or (2) as a stand-alone application running on the server machine. The former is usually referred to as User-Defined Functions (UDF), and the latter is referred to as Stored Procedures.
>
> A stored procedure allows the application developer to break a database application program into a client part and a server part. A stored procedure is a precompiled program that is stored at the server site and invoked from the client. The server part can issue SQL language request while running on the same machine as the RDBMS server such as a DB2.TM./CS server. Results from the execution of the stored procedure can be passed back to the client part which is usually running on a different machine. In many applications, this can greatly improve the performance of the database application. Stored procedures reduce the network traffic between the client and the server. Other advantages include concealing a variety of system-specific and/or database-specific details from the user, thereby providing a greater degree of data independence; sharing a stored procedure by many clients; and providing enhanced security by authorizing a given user to invoke a given procedure but not to operate directly on the data accessed by that procedure.
>
> ***In addition, the following described invention is also applicable to triggers. A trigger allows a user to associate certain SQL operations with a certain event. A trigger is a procedure that is to be invoked, by the database management system, when a specific condition occurs. For example, a trigger could be invoked to check the range value of employees' salaries whenever an SQL update is made to an employee/salary table to ensure that no salary goes above a certain amount. More specifically, an external trigger is a trigger than runs externally from the system software, i.e., a DBMS.***
>
> UDF (User-Defined Function) is, as its name implies, a function that takes in input and returns single value results. As a function, it must be embedded in an SQL expression. UDF is an innovative feature introduced in release 2 of the IBM DB2.TM./6000 relational database system. In addition, the new SQL3 standard provides a definition for user-defined functions. A user-defined function extends the functionality of the underlying DBMS (Data Base Management System) such as DB2.TM./CS by allowing users to define their own SQL functions implemented in a 3GL host language such as C and C++. Once created in the DBMS, UDFs can be invoked from any context where a SQL expression is expected or invoked from within any SQL expression as if they were built-in functions.
>
> In a practical implementation, UDF could be run under two kinds of environment. For better security, a "firewall" is created between the database engine run-time and the UDF run-time. This is normally achieved by running UDF code in a separate process which is different from the engine process. Such a UDF is called a fenced UDF. In contrast, for better performance,

> UDF code is run in the same process as that of the database engine. Such a UDF is called an un-fenced UDF.
>
> There are two components associated with a UDF: the specification component and the realization component. The former is specified by the create function SQL statement and maintained by the DBMS. The latter is specified by code written in a host language, prepared using the host language compiler and linkage editor, and maintained by the operating system. Different UDFs can share the same implementation. In other words, one realization component can be associated with more than one specification component. One situation where this can occur is when two UDFs have the same functionality but different runtime environments: one runs in a fenced mode, and the other runs in an unfenced mode.

It is unclear to Applicant where the Examiner is construing *Meier* as teaching or suggesting the limitation "invoking the table function ***from within the database system*** through a single database language statement" as recited in claim 1. In fact, *Meier* teaches away from this limitation. *Meier* discloses a trigger that allows a user to associate certain SQL operations with a certain event. However, *Meier* describes the implementation of an "external trigger" which is a trigger that runs ***<u>externally</u>*** from the system software, i.e., a DBMS. This is clearly distinguishable from "invoking the table function ***from within the database system*** through a single database language statement" as recited in independent claim 1. Specifically, the "external trigger" disclosed by *Meier* (which runs ***externally*** from the DBMS) <u>cannot</u> be construed as teaching or suggesting the "invoking the table function ***from within the database system*** through a single database language statement" in conjunction with the recited elements of claim 1 since the table function is invoked "from within the database".

Consequently, since *Meier* does not teach or suggest the limitation "...invoking the table function ***from within the database system*** through a single database language statement" in conjunction with the recited elements of claim 1and in fact, teaches away from this limitation, the Examiner's proposed combination of references do not teach or suggest <u>all</u> claim limitations. Accordingly the rejection of independent claim 1 as being unpatentable over *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) under 35 U.S.C. §103(a) should be withdrawn.

Claims 3-5, 10-12, 14-17, 22-24 and 91-92 depend from independent claim 1 and inherit all of it's limitations. Therefore, claims 3-5, 10-12, 14-17, 22-24 and 91-92 are also patentably distinct in light of *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) and the rejections of claims 3-5, 10-12, 14-17, 22-24 and 91-92 under 35 U.S.C. §103(a) ought to now be withdrawn.

b. Claims 6-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as applied to claims 1-5, 10-12, 14-17 and 22-24 above and in further view of *Demers* et al. (US 5,870,761).

Claims 6-9 depend from independent claim 1 and inherit all of it's limitations. As discussed above, the independent parent claim has not been rendered unpatentable by the Examiner's proposed combination of reference since they fail to provide, among other things, the limitation "…invoking the table function ***from within the database system*** through a single database language statement…".

Insofar as the *Demers* reference does not overcome the shortcomings of the Examiner's proposed combination of references, claims 6-9 are also patentably distinct in light of *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as applied to claims 1-5, 10-12, 14-17 and 22-24 above and in further view of *Demers* et al. (US 5,870,761) and the rejection of claims 6-9 under 35 U.S.C. §103(a) ought to now be withdrawn.

c. Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as applied to claims 1-5, 10-12, 14-17, 22-24, 26-31, 36-38, 40-43, 48-50, 52-58, 64-65 and 67-90 above and in further view of *Huth* et al. (US 6,704,742).

Claim 13 depends from independent claim 1 and inherit all of it's limitations. As discussed above, the independent parent claim has not been rendered unpatentable by the

Examiner's proposed combination of reference since they fail to provide, among other things, the limitation "...invoking the table function ***from within the database system*** through a single database language statement...".

Insofar as the *Huth* reference does not overcome the shortcomings of the Examiner's proposed combination of references, claim 13 is also patentably distinct in light of *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as applied to claims 1-5, 10-12, 14-17, 22-24, 26-31, 36-38, 40-43, 48-50, 52-58, 64-65 and 67-90 above and in further view of *Huth* et al. (US 6,704,742) and the rejection of claim 13 under 35 U.S.C. §103(a) ought to now be withdrawn.

d. Claims 18, 19 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as applied to claims 1-5, 10-12, 14-17, 22-24, 26-31, 36-38, 40-43, 48-50, 52-58, 64-65 and 67-90 above and in further view of *Poskanzer* (US 6,658,426).

Claims 18, 19 and 21 depend from independent claim 1 and inherit all of it's limitations. As discussed above, the independent parent claim has not been rendered unpatentable by the Examiner's proposed combination of reference since they fail to provide, among other things, the limitation "...invoking the table function ***from within the database system*** through a single database language statement...".

Insofar as the *Paskanzer* reference does not overcome the shortcomings of the Examiner's proposed combination of references, claims 18, 19 and 21 are also patentably distinct in light of *Drexter* (U.S. 2002/0046248 A1) in view of *Meier* et al. (U.S. 6,058,393) as applied to claims 1-5, 10-12, 14-17, 22-24, 26-31, 36-38, 40-43, 48-50, 52-58, 64-65 and 67-90 above and in further view of *Poskanzer* (6,658,426) and the rejection of claim claims 18, 19 and 21 under 35 U.S.C. §103(a) ought to now be withdrawn.

CONCLUSION

Applicants' attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

It is believed that all of the pending Claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending Claims (or other Claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any Claim, except as specifically stated in this paper, and the amendment of any Claim does not necessarily signify concession of unpatentability of the Claim prior to its amendment.

Respectfully submitted,

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